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15 *Attorneys for Defendant Google LLC*

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

19 CHASOM BROWN, WILLIAM BYATT,
20 JEREMY DAVIS, CHRISTOPHER
21 CASTILLO, and MONIQUE TRUJILLO,
individually and on behalf of all similarly
situated,

22 Plaintiffs,

23 v.

24 GOOGLE LLC,
25 Defendant.

Case No. 4:20-cv-03664-YGR-SVK

**DECLARATION OF JONATHAN TSE IN
SUPPORT OF GOOGLE LLC'S
ADMINISTRATIVE MOTION TO SEAL
PORTIONS OF GOOGLE LLC'S
OPPOSITION TO
PLAINTIFFS' REQUEST FOR AN
ORDER FOR GOOGLE TO SHOW
CAUSE FOR WHY IT SHOULD NOT
BE SANCTIONED FOR DISCOVERY
MISCONDUCT**

26 Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney at Quinn Emanuel
3 Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action. I make
4 this declaration of my own personal, firsthand knowledge, and if called and sworn as a witness, I
5 could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google
7 LLC’s Administrative Motion to Seal portions of Google’s Submission in Google’s Opposition to
8 Plaintiffs’ Request for an Order for Google to Show Cause for Why It Should Not Be Sanctioned
9 for Discovery Misconduct (“Opposition”), which consists of the Opposition, Ansorge Declaration
10 and Exhibits 1-39, Liao Declaration, Leung Declaration, Golueke Declaration and Trebicka
11 Declaration and Exhibits 1-51. In making this request, Google has carefully considered the relevant
12 legal standard and policy considerations outlined in Civil Local Rule 79-5. Google makes this
13 request with the good faith belief that the information sought to be sealed consists of Google’s
14 confidential and proprietary information and that public disclosure could cause competitive harm.

15 3. Google respectfully requests that the Court seal in its entirety Exhibits 19-37 and 39
16 of the Ansorge Declaration, and Exhibits 1-5, 7-13, 15-31 and 50 of the Trebicka Declaration in
17 support of Google’s Opposition, and the redacted portions of the Opposition, Ansorge Declaration
18 and Exhibits 3-7, 9-12, 15-18 and 38, the Liao Declaration, Leung Declaration, Golueke
19 Declaration, and Exhibits 33-36, 39-42 and 49 of the Trebicka Declaration in support of Google’s
20 Opposition.

21 4. The information requested to be sealed contains Google’s confidential and
22 proprietary information regarding highly sensitive features of Google’s internal systems and
23 operations, including the various types of data sources which include information related to
24 Google’s data signals, logs, details related to project names, internal identifiers, Google’s internal
25 practices with regard to Incognito and its proprietary functions, as well as internal metrics and
26 investigation into financial impact of certain features, that Google maintains as confidential in the
27 ordinary course of its business and is not generally known to the public or Google’s competitors.

1 5. Such confidential and proprietary information reveals Google's internal strategies,
2 system designs, and business practices for operating and maintaining many of its important services,
3 and falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 1-
4 2.

5 6. Public disclosure of such confidential and proprietary information could affect
6 Google's competitive standing as competitors may alter their identifier system designs and practices
7 relating to competing products. It may also place Google at an increased risk of cyber security
8 threats, as third parties may seek to use the information to compromise Google's data sources,
9 including data logs, internal data structures and internal identifier systems.

10 7. For these reasons, Google respectfully requests that the Court seal the Opposition,
11 Ansorge Declaration and Exhibits 3-7, 9-12, 15-39, Liao Declaration, Leung Declaration, Golueke
12 Declaration and Trebicka Declaration, Exhibits 1-5, 7-13, 15-31, 33-36, 39-42, 47, 49-50 to be filed
13 under seal.

14 I declare under penalty of perjury of the laws of the United States that the foregoing is true
15 and correct. Executed in San Francisco, California on April 4, 2022.

17 || DATED: April 4, 2022

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By */s/ Jonathan Tse*
Jonathan Tse

Attorney for Defendant